

PATENT
Attorney Docket No: STEM1110-4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Twardzik et al. Art Unit: Unassigned
Application No. Unassigned
Parent Application 09/641,587 Examiner: Unassigned
No.:
Filed: January 4, 2002
Title: TGF- α POLYPEPTIDES, FUNCTIONAL FRAGMENTS AND METHODS
OF USE THEREFOR

Commissioner for Patents
Washington D.C., 20231

Sir:

PRELIMINARY AMENDMENT

Prior to the examination of the present application, please amend the application
as follows:

"EXPRESS MAIL" Mailing Label Number EV047293908US
Date of Deposit January 4, 2002
I hereby certify under 37 CFR 1.10 that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" with sufficient postage on the date indicated above and is addressed to the Commissioner for Patents, Washington, D.C. 20231
Jason Berry
<i>Jason Berry</i>

IN THE SPECIFICATION:

Please delete the paragraph on page 1, under the heading "CROSS REFERENCE TO RELATED APPLICATIONS" and insert the following replacement paragraph:

[0001] This application is a continuation of 09/641,587, filed August 17, 2000, which is a continuation-in-part of U.S. Application 09/492,935, filed January 27, 2000, which is a continuation-in-part of U.S. Application 09/378,567, filed August 19, 1999, the disclosures of which are herein incorporated by reference in their entirety.

IN THE CLAIMS:

Please delete claims 1-72, as filed herewith, and enter the following new claims:

- 73. A method for expansion of a cell population, wherein the cells are CD34⁺ and contain a receptor in the EGF family of receptors, comprising contacting the cells with an amount of a TGF- α polypeptide, a TGF- α related polypeptide, a functional fragment thereof, or a mimetic thereof effective to induce proliferation of the cells, thereby expanding the cell population.
- 74. The method of claim 73, wherein the cells are progenitor cells.
- 75. The method of claim 73, wherein the method is performed *in vivo*.
- 76. The method of claim 73, wherein the method is performed *in vitro*.
- 77. The method of claim 73, wherein the method is performed *ex vivo*.
- 78. A method of organ repair comprising stimulation of a population of CD34+ cells, wherein the cells are stimulated by contacting the cells with a stimulating effective amount of a TGF- α polypeptide, a TGF- α related polypeptide, a functional fragment thereof, or a mimetic thereof effective to stimulate the cells.--

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REGARDING THE AMENDMENTS

New claims 73 to 78 are supported by the specification, as originally filed in the parent application. Specifically, support for claim 73 may be found, for example, on page 41, lines 8-13 and page 42, lines 1-2; support for claims 74 and 75 may be found, for example on page 31, lines 1-2; support for claim 76 may be found, for example on page 30, lines 26-27; support for claim 77 may be found, for example on page 9, lines 9-13; support for claim 78 may be found, for example, on page 51, lines 13-17. As such, no new matter has been added.

REMARKS

This Preliminary Amendment is submitted in order to clarify the invention. No new matter has been added. The new claims are supported by the specification and claims, as originally filed, as set forth above.

In view of the foregoing, Applicants respectfully submit that the claims are in condition for allowance. Please apply any charges not covered, or any credits, to Deposit Account 50-1355.

Respectfully submitted,

Date: 1/4/02


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